

REMARKS/ARGUMENTS

1. Request for Continued Examination:

The applicants respectfully request continued examination of the above-indicated application as per 37 CFR 1.114.

2. Amendments to the claims:

Claims 1 to 10 are cancelled.

Independent Claims 11 & 17 include limitations fully supported by specification paragraphs [0013] - [0015]. In addition, Claims 11 & 17 are introduced to recite the key feature of the present embodiment. As shown in Fig. 1 and stated in specification paragraphs [0013] & [0014], the second circuit 40 is independent of the first and third circuits, 10 and 70 respectively. Therefore, it is clear that **data recording does not need to be synchronized with the spindle motor operation.**

Claims 12 - 16 and 18 - 20 are dependent on claims 11 and 17, respectively, and include limitations fully supported by specification paragraphs [0013] & [0015].

No new matter is entered. Consideration of entering new claims is respectfully requested.

3. Patentability of New Claims

New claims 11 - 16

New claim 11 contains the limitation "**data recording does not need to be synchronized with the spindle motor operation.**" It can be seen that the key feature

of the present embodiment is not optimum spindle control, as in the prior arts of Matsui and Tanishima, but the synchronization of data encoding with the wobble signal, so the optical disc apparatus is therefore not limited by the spindle motor. Because the rotation of the unstable spindle motor affects the wobble signal, the claimed optical disc drive utilizes the first circuit 10 (Fig. 5) to monitor information carried via the wobble signal and adaptively control the channel clock, which drives the data encoder 72, in response to the unstable rotation of the optical disc through referencing the wobble signal. In other words, though the spindle motor might not rotate the optical disc at desired speed, the claimed optical disc drive is capable of tuning the data encoding operation to compensate for the unstable spindle motor, thereby correctly recording data to the optical disc as desired.

Tanishima discloses using a recording control circuit 23 to supply a rotation control signal SC1 to the spindle motor 12 during data recording (Fig. 7, col. 6, lines 44-60). Matsui discloses using a control loop to repeatedly check if the rotation of the spindle motor 119 should be adjusted during data recording (Fig. 5, Fig. 6, cols. 17-22). Both the prior art of Matsui and the prior art of Tanishima utilize the spindle motor to provide optimum disc rotation control for data recording. Since the claimed limitation **“data recording does not need to be synchronized with the spindle motor operation”** is not taught or suggested by the teachings of Matsui and Tanishima, applicants believe that new claim 11 has been placed in condition for allowance.

New claims 12 – 16 are dependent on new claim 11, and should be allowed if new claim 11 is found allowable.

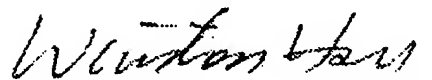
New claims 17 - 20

New claim 17 is a method claim describing the operation of the optical disc system in new claim 11. In addition, as mentioned above, the claimed limitation **“data recording does not need to be synchronized with the spindle motor operation”** is not taught or suggested by the teachings of Matsui and Tanishima. Therefore, since apparatus claim 11 is allowable, applicants believe that corresponding method claim 17 has been placed in condition for allowance.

New claims 18 – 20 are dependent on new claim 17, and should be allowed if claim 17 is found allowable.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Sincerely yours,



Date: September 2, 2005

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